

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**STAPLING AND CUTTING IN RESECTIONING FOR FULL THICKNESS
RESECTION DEVICES**

the specification of which is filed herewith.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this declaration.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

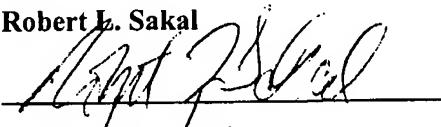
None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor	:	Gary McAlister
Inventor's signature	:	<u>Gary McAlister</u>
Date	:	<u>8/30/00</u>
Residence	:	Boston Scientific Corporation One Boston Scientific Place Natick, Massachusetts 01760 35 Stanwood Drive Franklin, MA 02038
Citizenship	:	United States
Post Office Address:	:	same as above
Full name of second joint inventor	:	Robert L. Sakal
Inventor's signature	:	
Date	:	
Residence	:	76 Bolton Woods Way Bolton, MA 01740
Citizenship	:	United States
Post Office Address:	:	same as above

305898

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor	:	Gary McAlister
Inventor's signature	:	<hr/>
Date	:	<hr/>
Residence	:	Boston Scientific Corporation 35 Stanwood Drive One Boston Scientific Place Franklin, MA 02038 Natick, Massachusetts 01760
Citizenship	:	United States
Post Office Address:	:	same as above
Full name of second joint inventor	:	Robert L. Sakal
Inventor's signature	:	<hr/> 
Date	:	<hr/> <u>9/20/00</u>
Residence	:	76 Bolton Woods Way Bolton, MA 01740
Citizenship	:	United States
Post Office Address:	:	same as above

305898

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gary McAlister et al.
 Serial No.: 09/727,051
 Filed: November 30, 1999
 For: STAPLING AND CUTTING IN
 RESECTIONING FOR FULL THICKNESS
 RESECTION DEVICES

Group Art Unit: 3731

Examiner:

Commissioner of Patents and Trademarks
 Washington, DC 20231

GRANT OF POWER OF ATTORNEY PURSUANT TO 37 C.F.R. § 3.71

SIR:

Assignee hereby appoints: Patrick J. Fay (Reg. No. 35,508); Oleg F. Kaplun (Reg. No. 45,559); Paolo M. Trevisan (Reg. No. 45,164); Scott Bluni (Reg. No. 40,916); Mark J. Casey (Reg. No. 37,796); Luke R. Dohmen (Reg. No. 36,783); Robert M. Rauker (Reg. No. 40,782); and William J. Shaw (Reg. No. 43,111) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith. All previous Powers of Attorney in connection with this application are hereby revoked. Please send all correspondence to:

Patrick J. Fay, Esq.
 FAY, KAPLUN & MARCIN, LLP
 100 Maiden Lane
 17th Floor
 New York, NY 10038

and direct all phone calls to Patrick J. Fay at (212) 898-8873.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

10/2/01
 Date

Robert M. Rauker
 Robert M. Rauker (Reg. No. 40,782)
 Senior Patent Counsel
 Boston Scientific Corporation

on behalf of:
 SCIMED LIFE SYSTEMS